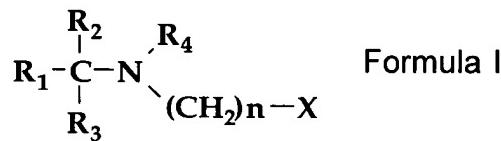


16. (Amended) A composition according to [any one of] claim[s] 11 [to 15], wherein the compound of formula I is in the form of a hydrochloride salt.

24. (Amended) A commercial package for the treatment or prevention of a disease in which cell death occurs by apoptosis, said package comprising a pharmaceutical composition according to [any one of] claim[s] 11 [to 16], together with instructions for use in the treatment or prevention of diseases in which cell death occurs by apoptosis.

Please delete claims 17-23 and add new claims 25-31 as follows:

25. (New) A method for the treatment or prevention of a disease in which cell death occurs by apoptosis comprising administering an effective amount of a compound of the formula I to an animal in need thereof, wherein said formula I:



wherein:

$\text{R}_1$  is  $(\text{CH}_2)_m\text{CH}_3$  where  $m$  is 0 or an integer in the range from 1 to 16, or an alkenyl, alkynyl, alkoxy, alkylthio, or alkyl sulfinyl group having from 2 to 17 carbon atoms, wherein  $\text{R}_1$  may be optionally substituted with one or more substituents selected from hydroxy, aldehyde, oxo, lower acyloxy, halogen, thio, sulfoxide and sulfone,

$\text{R}_2 = \text{H}, \text{CH}_3$  or  $\text{CH}_2\text{CH}_3$

$\text{R}_3 = \text{H}$  or  $\text{CH}_3$

$\text{R}_4 = \text{H}$  or  $\text{CH}_3$

$\text{R}_5 = \text{lower alkyl}$  having 1 to 5 carbon atoms

n is an integer in the range from 1 to 3,

and X is carboxyl (COOH), carbalkoxy (COOR<sub>5</sub>), cyano (C≡N), phosphonic acid (PO<sub>3</sub>H<sub>2</sub>), phosphonate ester (PO<sub>3</sub>[R<sub>5</sub>]<sub>2</sub>) or 5-tetrazole, or a pharmaceutically acceptable salt thereof.

26. (New) A method according to claim 25, wherein

R<sub>1</sub> is (CH<sub>2</sub>)<sub>m</sub>CH<sub>3</sub> where m is 0 or an integer in the range from 1 to 16,

R<sub>2</sub> = CH<sub>3</sub>,

R<sub>3</sub> = H,

R<sub>4</sub> = H or CH<sub>3</sub>,

R<sub>5</sub> = lower alkyl having 1 to 5 carbon atoms,

n is an integer in the range from 1 to 3,

and X is carboxyl (COOH), carbalkoxy (COOR<sub>5</sub>), cyano (C≡N), phosphonic acid (PO<sub>3</sub>H<sub>2</sub>), phosphonate ester (PO<sub>3</sub>[R<sub>5</sub>]<sub>2</sub>) or 5-tetrazole, or a pharmaceutically acceptable salt thereof.

27. (New) A method according to claim 25 wherein the compound of the Formula I is a substantially pure enantiomer in the R configuration.

28. (New) A method according to claim 25 wherein the compound of the Formula I is a substantially pure enantiomer in the S configuration.

29. (New) A method according to claim 25 wherein said compound of Formula I is selected from the group consisting of:

2-(2-Propylamino)acetic acid;

2-(1-Hexylamino)acetic acid;

(S)-2-(2-Heptylamino)acetic acid;

3-(2-Propylamino)propionic acid;

3-(1-Hexylamino)propionic acid;

(R)-3-(2-Heptylamino)propionic acid;  
2-(2-Propylmethylamino)acetic acid;  
2-(1-Hexylmethylamino)acetic acid;  
(S)-2-(2-Heptylmethylamino)acetic acid;  
3-(2-Propylmethylamino)propionic acid;  
3-(1-Hexylmethylamino)propionic acid;  
(R)-3-(2-Heptylmethylamino)propionic acid;  
2-(2-Propylamino)acetonitrile;  
(R)-2-(2-Pentylamino)acetonitrile;  
2-(1-Hexylamino)acetonitrile;  
(S)-2-(2-Heptylamino)acetonitrile;  
(R)-3-(2-Heptylamino)propionitrile;  
2-(2-Propylmethylamino)acetonitrile;  
(R)-2-(2-Pentylmethylamino)acetonitrile;  
2-(1-Hexylmethylamino)acetonitrile;  
(S)-2-(2-Heptylmethylamino)acetonitrile;  
(R)-3-(2-Heptylmethylamino)propionitrile;  
2-(2-Propylamino)ethanephosphonic acid;  
(R)-2-(2-Pentylamino)ethanephosphonic acid;  
(S)-2-(2-Heptylamino)ethanephosphonic acid;  
2-(2-Propylmethylamino)ethanephosphonic acid;  
(S)-2-(2-Heptylmethylamino)ethanephosphonic acid; and  
(R)-2-(2-Heptylamino)ethane-5-tetrazole.

30. (New) A method according to claim 25, wherein the disease is selected from the group consisting of stroke, head trauma, Bell's palsy, spinal cord injury, Alzheimer's disease, Parkinson's disease, Pick's disease, amyotrophic lateral sclerosis, Huntington's disease, multiple sclerosis, cardiac myopathies, nephropathy, retinopathy, diabetic complications, glaucoma and idiopathic neuropathies.

31. (New) A method according to claim 25, for the treatment of a human.

**REMARKS**

By the present amendment, claims 8, 9, 10, 16 and 24 have been amended in order to delete multiple dependencies. The claims have also been amended to delete the "use" claims 17-23 and to add "method of treatment" claims 25-31. The Preliminary Amendment does not contain new matter.

Entry of the above preliminary amendment is respectfully requested. Please calculate the claim fee for the application once the amendment has been entered.

Respectfully submitted,

**Lilian E. Dyck et al.**



Micheline Gravelle  
Registration No. 40,261

Bereskin & Parr  
Box 401, 40 King Street West  
Toronto, Ontario, Canada  
M5H 3Y2

Tel. (416) 364-7311